

# TYPE II DEVELOPMENT & ENVIRONMENTAL REVIEW, STAFF REPORT & DECISION

Form DS1401



**Project Name:** SEACREST SHORT PLAT

**Case Number:** PLD2006-00054; SEP2006-00109

**Location:** 4411 NW 127<sup>th</sup> Street; Lot 63 (188254), located in a portion of the SW ¼ of Section 29, Township 3 North, Range 1 East of the Willamette Meridian

**Request:** The applicant is requesting a preliminary plat approval to subdivide approximately 1.87 acres into 7 residential lots in the R1-10 Zoning District, with one lot to contain an existing dwelling.

**Applicant:** Russ Webb  
PO Box 345  
Vancouver WA 98666  
(360) 574-7368  
char@pacifer.com

**Contact Person:** Olson Engineering Inc  
Attn: Scott Brantley  
1111 Broadway  
Vancouver WA 98660  
(360) 695-1385; (360) 695-8117 [Fax]  
scottb@olsonengr.com

**Property Owner:** Same as applicant

## **DECISION**

**Approved subject to Conditions**

**Team Leader's Initials:**   **Date Issued:** September 15, 2006

**County Review Staff:**

<u>Title</u>	<u>Name</u>	<u>Phone</u> (360) 397-2375 Ext.	<u>E-mail Address</u>
<b>Planner:</b>	Harper Kalin	4999	<a href="mailto:harper.kalin@clark.wa.gov">harper.kalin@clark.wa.gov</a>
<b>Engineer</b> (Trans. Concurrency):	Richard Gamble	4384	<a href="mailto:richard.gamble@clark.wa.gov">richard.gamble@clark.wa.gov</a>
<b>Engineer</b> (Trans. & Stormwater):	John Davis	5862	<a href="mailto:john.davis@clark.wa.gov">john.davis@clark.wa.gov</a>
<b>Team Leader:</b>	Krys Ochia	4834	<a href="mailto:krys.ochia@clark.wa.gov">krys.ochia@clark.wa.gov</a>
<b>Engineering Supervisor:</b> (Trans. & Stormwater):	Sue Stepan	4064	<a href="mailto:sue.stepan@clark.wa.gov">sue.stepan@clark.wa.gov</a>

**Comp Plan Designation:** Urban Low Density Residential

**Parcel Number(s):** 188254-000

**Applicable Laws:**

Clark County Code Sections: 15.12 (Fire Code); 40.220.010 (Single-family Residential Districts); 40.350.020 (Transportation Concurrency); 40.350.030 (Street and Road Standards); 40.370.010 (Sewer); 40.370.020 (Water Supply); 40.380 (Stormwater and Erosion Control); 40.500.010 (Procedures); 40.510.020 (Type II Process); 40.540.030 (Short Plats); 40.550.010 (Road Modifications); 40.570 (SEPA); 40.610 & 40.620 (Impact Fees); and RCW 58.17 (State Platting Laws).

**Neighborhood Association/Contact:**

Felinda Neighborhood Association  
Milanda Allen, President  
PO Box 61552  
Vancouver, WA 98666

**Time Limits:**

The application was determined to be fully complete on June 30, 2006. Therefore, the County Code requirement for issuing a decision within 78 days lapses on September 16, 2006. The State requirement for issuing a decision within 120 calendar days, lapses on November 22, 2006.

**Vesting:**

An application is reviewed against the subdivision, zoning, transportation, stormwater and other land development codes in effect at the time a fully complete application for preliminary approval is submitted. If a pre-application conference is required, the application shall earlier contingently vest on the date the fully complete pre-application is filed. Contingent vesting requires that a fully complete application for substantially the

same proposal is filed within 180 calendar days of the date the county issues its pre-application conference report.

A pre-application conference on this matter was held on June 8, 2006. The pre-application was determined to be contingently vested as of May 5, 2006, the date the fully complete pre-application was submitted.

The fully complete application was submitted on May 5, 2006 and determined to be fully complete on June 30, 2006. Given these facts the application is vested on May 5, 2006.

### **Public Notice:**

Notice of application and likely SEPA Determination of Non-Significance (DNS) was mailed to the applicant, Felinda Neighborhood Association and property owners within 300 feet of the site on July 12, 2006. Notice of the likely SEPA Determination was published in the "Columbian" Newspaper on July 12, 2006.

### **Public Comments:**

No public comments were received.

### **Project Overview**

The site is a 1.87 acre parcel containing an existing 1,346 square foot residence that is proposed to be retained. The existing shop, well shed, carport and two greenhouses will be removed.

The application proposes to divide the parcel into seven lots, with Lot 1 containing the existing structure. Access to the existing house will be via NW 127<sup>th</sup> Street, and the remaining six lots will take access via a private road labeled NW 45<sup>th</sup> Court.

In addition to the existing house and driveway, the site contains a number of ornamental trees and shrubs but is mostly grass-covered. The property is relatively flat.

The site is located within the Vancouver School District, Fire District #6, and Park District #9.

Surrounding uses and zoning are as indicated along with those of the site in the following table:

<b>Compass</b>	<b>Comp Plan</b>	<b>Zoning</b>	<b>Current Land Use</b>
Site	Urban Low Density Residential	Single-Family Residential (R1-10)	Residential
North	Urban Low Density Residential	Single-Family Residential (R1-10)	Residential
West	Urban Low Density Residential	Single-Family Residential (R1-10)	Residential

South	Urban Low Density Residential	Single-Family Residential (R1-10)	Residential
East	Urban Low Density Residential	Single-Family Residential (R1-10)	Residential

## Staff Analysis

Staff first analyzed the proposal in light of the 16 topics from the Environmental Checklist (see list below). The purpose of this analysis was to identify any potential adverse environmental impacts that may occur without the benefit of protection found within existing ordinances.

- |                                 |  |
|---------------------------------|--|
| 1. Earth                        | 9. Housing                             |
| 2. Air                          | 10. Aesthetics                         |
| 3. Water                        | 11. Light and Glare                    |
| 4. Plants                       | 12. Recreation                         |
| 5. Animals                      | 13. Historic and Cultural Preservation |
| 6. Energy and Natural Resources | 14. Transportation                     |
| 7. Environmental Health         | 15. Public Services                    |
| 8. Land and Shoreline Use       | 16. Utilities                          |

Staff then reviewed the proposal for compliance with applicable code criteria and standards in order to determine whether all potential impacts will be mitigated by the requirements of the code.

Staff's analysis also reflects review of agency and public comments received during the comment period, and knowledge gained through a site visit.

### Major Issues:

Only the major issues, errors in the development proposal, and/or justification for any conditions of approval are discussed below. Staff finds that all other aspects of this proposed development comply with the applicable code requirements, and, therefore, are not discussed below.

### LAND USE:

#### Finding 1- Lot Standards

The lot standards for the R1-10 zone are contained in CCC Table 40.220.010-2. The minimum lot area is 10,000 square feet and the maximum average lot area is 15,000 square feet. Based on the gross lot figures provided by the applicant on the preliminary plat, the average lot area is 11,582 square feet which meets the lot area standards. However, for the purposes of the lot area calculation, the private road area must be excluded. By estimating the exclusion of the private road, there does not appear to be a problem with meeting the lot area standards. The applicant must revise the plat map to

show that the private road has been excluded from lot area calculations. **(see Condition D-1)**

The proposal meets the applicable lot standards for lot width and depth.

The applicable minimum setbacks (distance between structures and lot lines) are as follows:

- Front: 20 feet
- Street Side: 10 feet
- Side: 5 feet
- Rear: 5 feet

#### Finding 2 – Existing Structures

It is the applicant's intention to remove the shop, well shed, carport and two greenhouses structures from the premises. A condition will be imposed to ensure these buildings are removed, with the necessary permits, prior to final construction. **(see Condition A-1)** In addition, the applicant will need to comply with all applicable asbestos inspection and control regulation in accordance with procedures of the Southwest Clean Air Agency. **(see Condition A-10)**

#### Finding 3 – Mobile/Manufactured Homes

The applicant has not specifically indicated that mobile homes may be placed on individual lots resulting from this proposed subdivision. As a result, pursuant to CCC 40.260.130(A)(2), mobile homes are prohibited on any lot in this plat. **(see Condition D-3-a)**

#### **Conclusion (Land Use):**

Staff concludes that the proposed preliminary plan, subject to conditions identified below, meets the land use requirements of the Clark County Code.

#### **TRANSPORTATION:**

##### Finding 1 - Pedestrian/Bicycle Circulation

Pedestrian circulation facilities in compliance with the Americans with Disabilities Act are required in accordance with the provisions of Section CCC 40.350.010. The development plans indicate that frontage improvements along NW 127<sup>th</sup> Street are included with the County's improvement project, Kline Line Force Main Project. Staff verified the improvements associated with this project and determined that frontage improvements along the property are not included. Therefore, the development is required to construct pedestrian circulation facilities in compliance with the Americans with Disabilities Act and the provisions of Section CCC 40.350.010. **(see Condition A-2.a)**

### Finding 2- Circulation Plan

NW 127<sup>th</sup> Street, located to the north of the site, provides for east-west circulation in the vicinity of the site. NW 45<sup>th</sup> Court will provide north-south circulation to the site and will provide access to the properties to the east. NW 43<sup>rd</sup> Avenue is currently stubbed to the south line of the property to the east of Seacrest short Plat. NW 46<sup>th</sup> Avenue was constructed with the Celia Meadows Subdivision to the west of the proposed development. The future developments of the surrounding properties may provide the northerly extension of NW 43<sup>rd</sup> Avenue and southerly extension of NW 46<sup>th</sup> Avenue to connect NW 122<sup>nd</sup> Street and NW 127<sup>th</sup> Street.

The new cul-de-sac street will accommodate traffic generated from Seacrest Short Plat, and the lots directly east of the proposed development. Therefore, the existing roadways and the proposed NW 45<sup>th</sup> Court will provide adequate cross-circulation for serving the proposed development and will allow future developments to meet the cross-circulation standards in compliance with subsection CCC 40.350.030(B)(2).

### Finding 3 - Frontage Improvements

NW 127<sup>th</sup> Street, abutting the site to the north, is classified as an urban local residential access road. The minimum right-of-way (ROW) dedications and improvements for this road in accordance with CCC Table 40.350.030-4 and the Standard Details Manual, Drawing 14 include:

- a. A minimum half-width ROW of 23 feet
- b. A minimum half-width roadway of 14 feet
- c. Curb/ gutter, minimum with sidewalk of 5 feet

The proposed plans indicate that frontage improvements along NW 127<sup>th</sup> Street are included with the County's improvement project, Kline Line Force Main Project. Staff verified the improvements associated with this project and determined that frontage improvements along with property are not included. Therefore, the proposed improvements shall provide the minimum ROW dedications and improvements for this road in accordance with CCC requirements. **(see Condition A-2.b)**

### Finding 4 – Private Street Improvements

The onsite road, NE 45<sup>th</sup> Court, is proposed as a private road with the following easement and improvements:

- a. Easement width of 25 feet
- b. Roadway width of 20 feet
- c. Curb/ gutter, 5 feet wide sidewalk

The proposed easement and street improvements along the internal road complies with the provisions of CCC Table 40.350.030-4 and Standards Details Manual, Drawing 17.

The applicant has submitted documentation that indicates that the proposed street will be constructed within an easement on the adjacent property to the east. The private street will also serve the adjacent property.

#### Finding 5 - Sight Distance

NW 127<sup>th</sup> Street has a posted speed limit of 25 mph. The approval criteria for intersection sight distance for a posted speed limit of 25 mph is 250 feet. The applicant did not submit the measured sight distances to the east and west of the access point. The final engineering plans shall show sight distance triangles for the proposed private road intersection. Landscaping, utility poles, and structures will not be allowed where required sight distance is impeded. **(see Condition A-2.c)**

#### **Conclusion (Transportation):**

Staff concludes that the proposed preliminary plan, subject to the condition identified above, meets the transportation requirements of the Clark County Code.

#### **STORMWATER:**

##### Finding 1 - Stormwater Applicability

The Stormwater and Erosion Control Ordinance (CCC 40.380) applies to development activities that result in 2,000 square feet or more of new impervious area within the urban area; and all land disturbing activities, except those exempted in Section CCC 40.380.030(A).

This project will create more than 2,000 square feet of new impervious surface, and is a land disturbing activity not exempted in Section CCC 40.380.030(A). Therefore, this development shall comply with the Stormwater and Erosion Control Ordinance CCC 40.380.

The Erosion Control Ordinance is intended to minimize the potential for erosion and a plan is required for all projects meeting the applicability criteria listed in CCC 40.380.050. This project is subject to the Erosion Control Ordinance.

##### Finding 2 - Existing Site Conditions

The property is approximately 1.87 acres in size with slopes of 0-5% over 100% of the parcel. The project site currently has one existing single family home, shed, carport, two greenhouses, trees, and grass covering the remainder of the site. The existing house will remain on lot 1, but the other structures will be removed.

The Natural Resource Conservation Service (NRCS) indicates the site to be underlain by Hillsboro silt loam (100% of HoA). Hillsboro soils are classified by AASHTO as A-4 soils and are designated as hydrologic group "B". The Stormwater and Erosion Control Ordinance (CCC 40.380), does not list A-4 soils as suitable for infiltration.

The stormwater report indicates that the land use over the last 30 years, which results in the least amount of runoff, is the same as today. The runoff curve numbers were determined based on the soil types and existing land use for the hydrologic analysis.

### Finding 3 - Developed Site Conditions

The report indicates that the tributary drainage area to the proposed stormwater facilities is approximately 1.87 acres containing 0.79 acres of new impervious area and 1.08 acres of pervious area. The preliminary stormwater report indicates that the developed conditions consist of impervious areas (roofs / pavements / sidewalks) with a runoff curve number (CN) of 98 and pervious areas (lawns / landscaping) with a CN of 80.

### Finding 4 - Stormwater Proposal

The project proposes to provide adequate stormwater facilities to intercept, treat, and detain stormwater from this development to ensure that runoff does not have adverse affects in the area. The stormwater management facilities (BMP's) are proposed to be constructed within an easement along the east side of the property and are proposed to be privately owned and maintained.

To meet the stormwater quality requirements, the project proposes to utilize three StormFilter (Contech Stormwater Solutions, Inc.) cartridges. The preliminary stormwater design report indicates that the water quality design storm will generate approximately 0.09 cfs of runoff from the private road and lots. Roof runoff will discharge directly to the detentions system. Three StormFilter cartridges have the capacity to treat 0.09 cfs (45 gpm). Therefore, the stormwater BMP's will treat 70% of the runoff from pollution-generating surfaces due to 2-year, 24-hour design storms, as required. The application indicates that the StormFilter cartridge will be located within a 48" manhole in the cul-de-sac bulb at the south end of the private road.

To achieve the stormwater quantity control requirements, per section CCC 40.380.040, the project proposes an underground detention pipe. The project proposes to limit the peak developed 2-year design storm release rate to a maximum of one-half of the pre-developed 2-year, 24-hour storm peak runoff rate. In addition, the peak developed release rate for the 10-year and 100-year storm event shall not exceed the pre-developed runoff rates for the same storm event. The applicant proposes to accomplish the controlled release rates through a flow control manhole, which contains two orifices, specifically sized to meet the requirements listed above. The detention facility has been sized to provide adequate storage volume based on these allowable release rates and an increased by a factor of safety of 24%, in compliance with CCC 40.380.(C)(3)(d).

The preliminary stormwater report indicates that pre-developed flows will be released into an existing public storm sewer system located to the north of the site within NW 127<sup>th</sup> Street. The stormwater facilities downstream of the site, proposed to receive stormwater from this development, are public facilities. In accordance with the provisions of section CCC 40.380.040(C)(1)(g), the proposed Seacrest Subdivision development shall not be allowed to materially increase or concentrate stormwater runoff onto downstream properties; and neither the proposed development shall be allowed to block existing drainage from the upstream properties.



The provisions of stormwater ordinance allow the Seacrest Subdivision development to use the existing downstream conveyance system as long as the proposed stormwater facilities are designed to limit the treated runoff leaving the site to the pre-developed allowed rates. However, if the existing downstream facilities are not functioning as designed, releasing additional runoff may have adverse impacts on the future lots within the proposed development and downstream properties. The runoff release rates at any location may not exceed the allowable runoff rates in the direction of pre-developed flow. In the final TIR, the applicant shall analyze the downstream facilities to determine if they have adequate capacity to receive runoff from the tributary areas within its drainage sub-basin including the subject parcel. Prior to placement of any impervious surfaces, the developer shall ensure that the downstream facilities are capable of receiving runoff from this development. **(see Condition A-4.a)**

#### Finding 5 – Offsite Tributary Area

Based on the applicant's preliminary stormwater report and County's GIS mapping, staff finds that the adjacent properties to the east of the development drains toward the proposed site. Changing the drainage patterns within the site due to grading and placement of homes can adversely impact the adjacent properties. The final stormwater plan shall demonstrate how the upstream tributary runoff will be conveyed downstream to ensure that this development does not block runoff from upstream properties or have adverse impacts on downstream properties. **(see Condition A-4.b)**

#### Finding 6 – Offsite Conveyance System

The excess runoff from the development leaving the detention pipe will be conveyed offsite. In compliance with section CCC 40.380.040(B)(2), all development activities required to prepare a final stormwater control plan shall conduct an analysis of offsite water quality impacts resulting from the development activities and shall mitigate their impacts. This project will be required to perform an offsite analysis extending a minimum of one-fourth of a mile downstream for the development. **(see Condition A-4.c)**

#### **Conclusion (Stormwater):**

Staff concludes that the proposed preliminary stormwater plan, subject to the conditions above, is feasible. Therefore, the requirements of the preliminary plan review criteria are satisfied.

#### **FIRE PROTECTION:**

##### Finding 1 - Fire Marshal Review

This application was reviewed by Tom Scott in the Fire Marshal's Office. Tom can be reached at (360) 397-2375 x4095 or 3323. Information can be faxed to Tom at (360) 759-6063. Where there are difficulties in meeting these conditions or if additional information is required, contact Tom in the Fire Marshal's office immediately.

##### Finding 2 - Building Construction

Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific

requirements may be made at the time of building construction as a result of the permit review and approval process. **(see Condition E-1)**

#### Finding 3 - Fire Flow

Fire flow in the amount of 1,000 gallons per minute supplied at 20 PSI for 60 minutes duration is required for this application. Prior to final plat approval the applicant shall submit proof from the water purveyor indicating that the required fire flow is available on the site. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to final plat approval. **(see Condition A-7.a)**

#### Finding 4 - Fire Hydrants

Fire hydrants are required for this application. The indicated new fire hydrant is adequate. Fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. A 3-foot clear space shall be maintained around the circumference of all fire hydrants.

The local fire district chief approves the exact locations of fire hydrants. As a condition of approval, the applicant shall contact Fire District 6 at (360) 576-1195 to arrange for location approval. **(see Condition A-7.c)**

#### Finding 5 - Fire Access

The roadways and maneuvering areas as indicated in this application meet the requirements of the Clark County Road Standard. Provide an unobstructed vertical clearance of not less than 13.5 feet, with an all weather driving service and capable of supporting the imposed loads of fire apparatus. **(see Condition A-7.d)**

Fire apparatus turnarounds are required to comply with the Clark County Road Standard. Parallel parking is prohibited on streets that are less than twenty-four (24) feet wide. Streets that are less than twenty-four feet wide shall be posted "NO PARKING". **(see Condition A-7.e)**

#### **Conclusion (Fire Protection):**

Staff finds that the proposed preliminary plan, subject to conditions identified above, meets the fire protection requirements of the Clark County Code.

#### **WATER & SEWER SERVICE:**

##### Finding 1 - Utilities

The site will be served by Clark Public Utilities for public water and by the Clark Regional Wastewater District (formerly named Hazel Dell) for public sewer. Letters from the purveyors confirm that services are available to the site.

Prior to final plat approval, the applicant shall provide documentation from the purveyors that water and sewer connections to the new lots and the existing house have been installed and approved. **(see Condition D-5)**

### Finding 2 - Health Department

Submittal of a “Health Department Evaluation Letter” is required as part of the Final Construction Plan Review application. If the Evaluation Letter specifies that an acceptable “Health Department Final Approval Letter” must be submitted, the Evaluation Letter will specify the timing of when the Final Approval letter must be submitted to the county (e.g., at Final Construction Plan Review, Final Plat Review or prior to occupancy). The Health Department Evaluation Letter will serve as confirmation that the Health Department conducted an evaluation of the site to determine if existing wells or septic systems are on the site, and whether any structures on the site have been/are hooked up to water and/or sewer. The Health Department Final Approval Letter will confirm that all existing wells and/or septic systems have been abandoned, inspected and approved by the Health Department (if applicable). **(see Condition A-6)**

**Conclusion (Water and Sewer Service):** Staff finds that the proposed preliminary plan, subject to conditions identified above, meets the water and sewer service requirements of the Clark County Code.

### **IMPACT FEES:**

#### Finding 1 - Impact Fees

The three additional residential lots created by this plat will produce impacts on schools, parks, and traffic; and are subject to School (SIF), Park (PIF), and Traffic Impact Fees (TIF) in accordance with CCC 40.610 & 40.620.

The site is within:

- Vancouver School District, with a SIF of \$1,725.00 per dwelling
- Park District #9, with a PIF of \$2,016.00 per dwelling (\$1,576 for park acquisition / \$440 for park development).
- Hazel Dell TIF sub-area with a TIF of \$1,423.54 per dwelling.

Impact fees shall be paid prior to issuance of a building permit for each new lot. If a building permit application is made more than three years following the date of preliminary plat approval, the impact fees will be recalculated according to the then-current ordinance rate. **(see Conditions D-2.g. & E-2)**

## **SEPA DETERMINATION**

As lead agency under the State Environmental Policy Act (SEPA) Rules [Chapter 197-11, Washington Administrative Code (WAC)], Clark County must determine if there are possible significant adverse environmental impacts associated with this proposal. The options include the following:

- DS = Determination of Significance **(The impacts cannot be mitigated through conditions of approval and, therefore, require the preparation of an Environmental Impact Statement (EIS);**
- MDNS = Mitigated Determination of Non-Significance **(The impacts can be addressed through conditions of approval); or,**
- DNS = Determination of Non-Significance **(The impacts can be addressed by applying the County Code).**

The likely SEPA determination of Non-Significance (DNS) in the Notice of Development Review Application issued on July 12, 2006 is hereby final.

### **SEPA APPEAL PROCESS:**

An **appeal** of this SEPA determination and any required mitigation must be filed with the Department of Community Development within fourteen (14) calendar days from the date of this notice. The SEPA appeal fee is **\$178**.

A **procedural appeal** is an appeal of the determination (i.e., determination of significance, determination of non-significance, or mitigated determination of non-significance). A **substantive appeal** is an appeal of the conditions required to mitigate for probable significant issues not adequately addressed by existing County Code or other law.

*Issues of compliance with existing approval standards and criteria can still be addressed in the public hearing without an appeal of this SEPA determination.*

Both the **procedural and substantive appeals** must be filed within fourteen (14) calendar days of this determination. Such appeals will be considered in the scheduled public hearing and decided by the Hearing Examiner in a subsequent written decision.

Appeals must be in writing and contain the following information:

1. The case number designated by the County and the name of the applicant;
2. The name and signature of each person or group (petitioners) and a statement showing that each petitioner is entitled to file an appeal as described under Section 40.510.030(H) of the Clark County Code. If multiple parties file a single petition for review, the petition shall designate one party as the contact representative with the Development Services Manager. All contact with the Development Services Manager regarding the petition, including notice, shall be with this contact person;
3. A brief statement describing why the SEPA determination is in error.

The decision of the Hearing Examiner on any SEPA procedural appeal can not be appealed to the Board of County Commissioners, but must pursue judicial review.

**Staff Contact Person:** Harper Kalin (360) 397-2375 ext. 5999  
Team Leader: Krys Ochia (360) 397-2375 ext. 4834

**Responsible Official:** Michael V. Butts

## DECISION

Based upon the proposed plan (identified as Exhibit #1), and the findings and conclusions stated above, the Development Services Manager hereby **APPROVES** this request, subject to the following conditions of approval:

## CONDITIONS OF APPROVAL

<b>A</b>	<b>Final Construction Review &amp; Approval Authority: Development Engineering</b>
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Prior to construction, a Final Construction Plan shall be submitted for review and approval, consistent with the approved preliminary plan and the following conditions of approval:

- A-1** Prior to demolition of structures on the site, the applicant shall obtain demolition permits from the Clark County Building Division. **(see Land Use Finding 2)**
- A-2 Final Transportation Plan/On-Site** - The applicant shall submit and obtain County approval of a final transportation design in conformance to CCC 40.350 and the following conditions of approval:
- a.** Pedestrian circulation facilities shall be construct in compliance with the Americans with Disabilities Act are required in accordance with the provisions of Section CCC 40.350.010. **(see Transportation Finding 1)**
  - b.** The proposed plan shall provide the minimum ROW dedications and improvements for NW 127<sup>th</sup> Street in accordance with CCC requirements. **(see Transportation Finding 3)**
  - c.** The final engineering plans shall show sight distance triangles for all corner lots. Landscaping, utility poles, and structures will not be allowed where required sight distance is impeded. **(see Transportation Finding 5)**

**A-3 Transportation:**

- a. Signing and Striping Plan: The applicant shall submit a signing and striping plan and a reimbursable work order, authorizing County Road Operations to perform any signing and pavement striping required within the County right-of-way. This plan and work order shall be approved by the Department of Public Works prior to final plat or final site plan approval.
- b. Traffic Control Plan: Prior to issuance of any building or grading permits for the development site, the applicant shall obtain written approval from Clark County Department of Public Works of the applicant's Traffic Control Plan (TCP). The TCP shall govern all work within or impacting the public transportation system.

**A-4 Final Stormwater Plan** - The applicant shall submit and obtain County approval of a final stormwater plan designed in conformance to CCC 40.380 and the following conditions of approval:

- a. Prior to placement of any impervious surfaces, the developer shall conduct a downstream analysis to ensure that the downstream facilities are capable of receiving runoff from this development. **(see Stormwater Finding 4)**
- b. The final stormwater plan shall provide measures to route runoff from the upstream tributary areas through the site without impacting the downstream or upstream properties. **(see Stormwater Finding 5)**
- c. Analysis of the offsite water quality impacts extending a minimum of one forth of a mile downstream from the development site will be required. **(see Stormwater Finding 6)**

**A-5 Erosion Control Plan** - The applicant shall submit and obtain County approval of a final erosion control plan designed in accordance with CCC 40.380.

**A-6 Health Department Review** - Submittal of a "Health Department Project Evaluation Letter" is required as part of the Final Construction Plan Review or early grading application. If the Evaluation Letter specifies that certain actions are required, the Evaluation Letter will specify the timing of when those activities must be completed (e.g., prior to Final Construction Plan Review, construction, Provisional Acceptance, Final Plat Review, building permit issuance, or occupancy), and approved by the Health Department. **(see Water and Sewer Service Finding 2)**

**A-7 Fire Marshal Requirements:**

- a. Fire Flow: Fire flow in the amount of 1000 gallons per minute supplied for 60 minutes duration is required for this application. Prior to approval, the

applicant shall submit proof from the water purveyor indicating that the required flow is available to the site. Additions to water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to final plat approval. **(see Fire Protection Finding 3)**

- b. Fire hydrants are required for this application. The indicated new fire hydrant is adequate.
- c. Unless waived by the fire district chief fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. The local fire district chief approves the exact locations of fire hydrants. As a condition of approval, contact Fire District 6 at 360-576-1195 to arrange for location approval. The applicant shall provide and maintain a six-foot clear space completely around every fire hydrant. **(see Fire Protection Finding 4)**
- d. Fire Apparatus Access: Fire apparatus access is required for this application. The roadways and maneuvering areas as indicated in the application shall meet the requirements of the Clark County Road Standard. The applicant shall provide an unobstructed vertical clearance of not less than 13.5 feet, with an all weather driving surface capable of supporting the imposed loads of fire apparatus. **(see Fire Protection Finding 5)**
- e. Fire Apparatus Turnarounds: - Approved fire apparatus turnarounds are required for this project. Parallel parking is prohibited on streets that are less than twenty-four (24) feet wide. Streets that are less than twenty-four feet wide shall be posted "NO PARKING". The provisions for turning around fire apparatus comply with the Clark County Road Standard. **(see Fire Protection Finding 5)**

**A-8 Other Documents Required** – The following documents shall be submitted with the Final Construction/Site Plan:

- a. Developer's Covenant: - A "Developer Covenant to Clark County" shall be submitted for recording that specifies the following Responsibility for Stormwater Facility Maintenance: For stormwater facilities for which the county will not provide long-term maintenance, the developer shall make arrangements with the existing or future (as appropriate) occupants or owners of the subject property for assumption of maintenance to the county's Stormwater Facilities Maintenance Manual as adopted by Chapter 13.26A. The responsible official prior to county approval of the final stormwater plan shall approve such arrangements. The county may inspect privately maintained facilities for compliance with the requirements of this chapter. If the parties responsible for long-term maintenance fail to maintain their facilities to acceptable standards, the county shall issue a written notice specifying required actions to be taken in order to bring the facilities into compliance. If these actions are not

performed in a timely manner, the county shall take enforcement action and recover from parties responsible for the maintenance in accordance with Section 32.04.0

**A-9 Excavation and Grading** - Excavation/grading shall be performed in compliance with Appendix Chapter J of the 2003 International Building Code (IBC); and, drainage facilities shall be provided, in order to ensure that building foundations and footing elevations can comply with CCC 14.04.252.

**A-10** The applicant shall comply with all applicable asbestos inspection and control regulations in accordance with procedures of the Southwest Washington Clear Air Agency. (*see Land Use Finding 2*)

<b>B</b>	<b>Prior to Construction of Development Review &amp; Approval Authority: Development Inspection</b>
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Prior to construction, the following conditions shall be met:

**B-1 Pre-Construction Conference** - Prior to construction or issuance of any grading or building permits, a pre-construction conference shall be held with the County; and,

- a. Prior to construction, fire flow in the amount of 1,000 gallons per minute supplied for 60 minutes duration is required for this application. Additions to water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to final plat. (*see Fire Protection Finding 3*)

**B-2 Erosion Control** - Prior to construction, erosion/sediment controls shall be in place. Sediment control facilities shall be installed that will prevent any silt from entering infiltration systems. Sediment controls shall be in place during construction and until all disturbed areas are stabilized and any erosion potential no longer exists.

**B-3 Erosion Control** - Erosion control facilities shall not be removed without County approval.

<b>C</b>	<b>Provisional Acceptance of Development Review &amp; Approval Authority: Development Inspection</b>
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Prior to provisional acceptance of development improvements, construction shall be completed consistent with the approved final construction/site plan and the following conditions of approval:

**C-1 None**



<b>D</b>	<b>Final Plat Review &amp; Recording</b> <b>Review &amp; Approval Authority: Development Engineering</b>
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Prior to final plat approval and recording, the following conditions shall be met:

- D-1** The applicant shall provide net lot calculations based on the exclusion of the private road. The lots must meet the standards set forth in CCC 40.220.010-2. *(see Land Use Finding 1)*
- D-2 Developer Covenant** – A “Developer Covenant to Clark County” shall be submitted for recording to include the following:
- a. Structures** - "Dwellings and other structures on the lots in this plat shall be constructed in accordance with the setbacks, height regulations, lot coverage, and other applicable standards for the R1-10 zone in CCC 40.220.010." *(see Land Use Finding 1)*
  - b. Critical Aquifer Recharge Areas** - "The dumping of chemicals into the groundwater and the use of excessive fertilizers and pesticides shall be avoided. Homeowners are encouraged to contact the State Wellhead Protection program at (206) 586-9041 or the Washington State Department of Ecology at 800-RECYCLE for more information on groundwater /drinking supply protection."
  - c. Erosion Control** - "Building Permits for lots on the plat shall comply with the approved erosion control plan on file with Clark County Building Department and put in place prior to construction."
  - d. Private Roads** - "Clark County has no responsibility to improve or maintain the private roads contained within or private roads providing access to the property described in this development. Any private access street shall remain a private street unless it is upgraded to public street standards at the expense of the developer or abutting lot owners to include hard surface paving and is accepted by the county for public ownership and maintenance."
  - e. Responsibility for Stormwater Facility Maintenance** - For stormwater facilities for which the county will not provide long-term maintenance, the developer shall make arrangements with the existing or future (as appropriate) occupants or owners of the subject property for assumption of maintenance to the county's Stormwater Facilities Maintenance Manual as adopted by Chapter 13.26A. The responsible official prior to county approval of the final stormwater plan shall approve such arrangements. Final plats shall specify the party(s) responsible for long-term maintenance of stormwater facilities within the Developer Covenants to Clark County. The county may inspect privately maintained facilities for compliance with the requirements of this chapter. If the parties responsible for long-term maintenance fail to maintain their facilities to acceptable standards, the county shall issue a written notice

specifying required actions to be taken in order to bring the facilities into compliance. If these actions are not performed in a timely manner, the county shall take enforcement action and recover from parties responsible for the maintenance in accordance with Section 32.04.060.

- f. Archaeological: "If any cultural resources are discovered in the course of undertaking the development activity, the Office of Archaeology and Historic Preservation in Olympia and Clark County Community Development shall be notified. Failure to comply with these State requirements may constitute a Class C Felony, subject to imprisonment and/or fines."
- g. Impact Fees: "In accordance with CCC 40.610, the School, Park, and Traffic Impact Fees for each dwelling in this short plat are respectively: \$1,725.00 (Vancouver School Dist), \$2,016.00 (Park District #9) (\$1,576 – Acquisition; \$440 – Development), and \$1,423.54 (Hazel Dell TIF sub-area). The impact fees for lots on this plat shall be fixed for a period of three years, beginning from the date of preliminary plat approval, dated [REDACTED], and expiring on [REDACTED]. Impact fees for permits applied for following said expiration date shall be recalculated using the then-current regulations and fees schedule." (*see Impact Fees Finding 1*)

**D-3 Plat Notes** - The following notes shall be placed on the final plat:

- a. Mobile Homes: "Mobile homes are prohibited on all lots subject to the requirements of CCC 40.260.130."
- b. Sidewalks: "Prior to issuance of occupancy permits, sidewalks shall be constructed along all the respective lot frontages. Sidewalks are attached except along the frontage of (insert street name) which is detached."
- c. Utilities: "An easement is hereby reserved under and upon the exterior six (6) feet at the front boundary lines of all lots for the installation, construction, renewing, operating and maintaining electric, telephone, TV, cable, water and sanitary sewer services. Also, a sidewalk easement, as necessary to comply with ADA slope requirements, shall be reserved upon the exterior six (6) feet along the front boundary lines of all lots adjacent to public streets."
- d. Driveways: "All residential driveway approaches entering public roads are required to comply with CCC 40.350."
- e. Privately Owned Stormwater Facilities: "The following party(s) is responsible for long-term maintenance of the privately owned stormwater facilities: [REDACTED]."

#### **D-4 Fire Marshal Requirements:**

Fire hydrants shall be provided such that the maximum spacing between hydrants does not exceed 700 feet and such that no lot or parcel is in excess of 500 feet from a fire hydrant, as measured along approved fire apparatus access roads. The applicant shall contact Fire District 6 at (360) 576-1195 to arrange for location approval.

Water mains supplying fire flow and fire hydrants shall be installed, approved, and operational prior to final plat approval. Fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. A 3-foot clear space shall be maintained around the circumference of all fire hydrants. (*see Fire Protection Finding 4*)

**D-5 Utilities** - Prior to final plat approval, the applicant shall provide documentation verifying that public water and sewer connections for the new lots and existing house have been installed and approved. (*see Water and Sewer Service Finding 1*)

**D-6 Addressing** - At the time of final plat, existing residence(s) that will remain may be subject to an address change. Addressing will be determined based on point of access.

<b>E</b>	<b>Building Permits</b>
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	<b>Review &amp; Approval Authority: Customer Service</b>
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Prior to issuance of a building permit, the following conditions shall be met:

**E-1** Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process. (*see Fire Protection Finding 2*).

**E-2 Impact Fees** - The applicant shall pay impact fees based on the number of dwelling units in the building, as follows:

- a. \$1,725.00 per dwelling for School Impact Fees (Vancouver School Dist.)
- b. \$2,016.00 per dwelling for Park Impact Fees (\$1,576 – Acquisition; \$440 – Development for Park District #9);
- c. \$1,423.54 per dwelling for Traffic Impact Fees (Hazel Dell TIF Sub-area)

Because Lot 1 will retain the existing residence, only 6 of the 7 proposed lots will be assessed for impact fees. (*see Impact Fees Finding 1*)

If the building permit application is made more than three years following the date of preliminary plat approval, the impact fees shall be recalculated according to the then-current rate. (*see Impact Fees Finding 1*)

<b>F</b>	<b>Occupancy Permits Review &amp; Approval Authority: Building</b>
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Prior to issuance of an occupancy permit, the following conditions shall be met:

**F-1 None**

<b>G</b>	<b>Development Review Timelines Review &amp; Approval Authority: None - Advisory to Applicant</b>
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**G-1 Land Division** - Within 5 years of preliminary plan approval, a Fully Complete application for Final Plat review shall be submitted.

**Note: The Development Services Manager reserves the right to provide additional comment and findings of fact regarding this decision, if appealed.**

### **Decision Appeal Process:**

An **appeal** of any aspect of this decision may be appealed to the County Hearing Examiner only by a party of record. A "Party of Record" includes the applicant and those individuals who submitted written testimony to the Development Service Manager within the designated comment period.

The appeal shall be filed with the Department of Community Development, Permit Services Center, 1300 Franklin Street, Vancouver, Washington, 98668, within fourteen (14) calendar days from the date the notice of final land use decision is mailed to parties of record. This decision was mailed on September 15, 2006. Therefore any appeal must be received in this office by 4:30 PM, September 29 , 2006.

Any appeal of the final land use decisions shall be in writing and contain the following:

- Case number designated by the County;
- Name of the applicant;
- Name of each petitioner;
- Signature of each petitioner or his or her duly authorized representative;
- A statement showing the following:
  - That each petitioner is entitled to file the appeal as an interested party in accordance with CCC 40.510.030(H);
  - The specific aspect(s) of the decision being appealed;
  - The reasons why each aspect is in error as a matter of fact or law;
  - The evidence relied on to prove the error; and,
  - The appeal fee of **\$1,021**.

The fee shall be refunded if the appeal is withdrawn in writing by the petitioner at least 15 calendar days before the public meeting to consider the appeal.

**Attachments:**

- Exhibit A – Copy of Proposed Preliminary Plan
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A copy of the approved preliminary plan and Clark County Code are available for review at:

**Public Service Center  
Department of Community Development  
1300 Franklin Street  
P.O. Box 9810  
Vancouver, WA. 98666-9810  
Phone: (360) 397-2375; Fax: (360) 397-2011**

A copy of the Clark County Code is also available on our Web Page at:  
Web Page at: <http://www.clark.wa.gov>